

<b>Some Application Number</b> 138910/FO/2023	<b>Date of Appln</b> 20 Feb 2024	<b>Committee Date</b> 30 May 2024	<b>Ward</b> Miles Platting & Newton Heath Ward
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**Proposal** Creation of homeless accommodation centre (Sui Generis).

**Location** Henesy House, 4 Nobby Stiles Drive, Manchester, M4 4FA

**Applicant** Mr Patrick O Dowd, Caritas Diocese of Salford

**Agent** Mr Richard Rhodes-Heaton, Property Tectonics

### **Executive Summary**

The proposal would provide accommodation for 19 single homeless men with communal living areas, staffroom and parking in an office building, referrals would be made by the Council for low risk residents with low support needs

The Homeless Directorate support the proposal. Representations from Councillor Grimshaw and Hitchen have been received.

There have been 15 objections and 4 letters of support.

### **Key Issues**

**Principle of the proposal and the schemes contribution to regeneration** – The development is in accordance with national and local planning policies. Some office space would be lost, but the use would meet the exceptions test in Core Strategy policy EC2 by providing accommodation for homeless people. The proposal would not result in an over concentration of this type of accommodation in the area and would meet a recognised need.

**Economic** – There would be 5 members of staff. The premises would support up to 19 homeless men back into employment and long term housing.

**Social** – Residents would have access to healthcare, employment support and help with long term housing to enable independent living. An operational management strategy sets out referral criteria. CCTV and improved natural surveillance would provide a safe and secure environment.

**Environmental** – Energy consumption would be minimised. Waste management would prioritise recycling to minimise the amount of waste going to landfill. The building is close to the city centre and has good public transport links.

**Impact on the historic environment** – The site is adjacent to the Grade II listed Church of St Patrick. The minor external alterations would be controlled by condition, and no harm would be caused to the significance of the listed building.

**Impact on local residents** – The proposal would generate comings and goings which are commensurate with this area. The operational management strategy would ensure that residents would be low risk and be actively seeking employment and long term housing solutions. It is recognised the proposal would generate some comings and goings, however, the property was a purpose built residential care unit and more recently used as ancillary offices for the Diocesan, and as such the number of trips to and from the application site would remain largely unaltered.

A full report is attached below for Members consideration.

**Description**

This 0.41 ha site is bounded by Nobby Stiles Drive, Livesey Street, St Patricks Church and an area of green space. It comprises a two storey brick building connected to the church. To the west is a car park and overflow car park to the north-east.



*Aerial photograph of application site*



*Photographs of front and rear of site as seen from Nobby Stiles Drive*

The building was originally built as residential accommodation for deaf people but is now used as an office for the church and presbytery. There are pedestrian and vehicular accesses off Nobby Stiles Drive. The northern half of the site is a gated private car park for the office and an overflow car park that was previously occupied by St Patricks RC Infant School.

To the south is the Grade II listed St Patricks Church and non-listed presbytery. Abbott Community Primary School is on the opposite side of Nobby Stiles Drive. The site is in Flood Zone 1 and a critical drainage area. The Air Quality Management Area (AQMA) is on Rochdale Road.

## The Proposal

The proposal would create accommodation for 19 homeless people who are low risk and require low levels of support needs in an existing purpose built residential building. It would include ancillary facilities, external amenity space and storage areas. The property would feature 15no one-bed bedrooms with en-suite facilities, 4no one-bed bedrooms, WCs, and communal areas for cooking, laundry, break out and meeting space.

Residents would use the communal areas to search for jobs, improve their independent living skills and gain financial management skills. An enclosed external patio between Caritas House and St Patricks Church would provide outside amenity space. Weep vents, small openings within the property's window frames for the purposes of mechanical ventilation, would be made.

Access to the site is level with lift access to the first floor which would accommodate 12no of the bedrooms including an accessible one. The ground floor would feature 7no bedrooms, communal areas, an office and a reception.

The car park to the north would remain a gated and private and would serve the proposed use. The car park to the north would be an overflow car park for staff and visitors when necessary.



**Proposed ground and first floor layout (Ancillary office to bedroom conversions are shown in green)**

## Relevant Planning History

121999/DEM/2018 - Prior notification for demolition of two storey school building – Approved December 2018.

038177 - Erection of a two storey building to form residential accommodation for the deaf – Approved January 1991.

## The Planning Submission

The planning application has been accompanied by the following documents:

- Application form
- Crime Impact Statement
- Design & Access Statement
- Existing and proposed floor plans
- Management and Operations Statement
- Noise Impact Assessment
- Planning Statement
- Public Consultation Statement
- Transport Statement
- Waste Management Strategy

## Consultations

**Publicity** – Notification letters were sent to an extensive area of local residents; a site notice was posted and an advertisement was placed in the Manchester Evening News.

**Local residents/public opinion** – Fifteen objections and four letters of support were received as follows:

- anti-social and criminal behaviour, especially with regard to anti-social behaviour including littering and drug use.
- general safety, especially when traversing the local area in hours of darkness and the availability of neighbouring sites that would encourage anti-social and criminal behaviour.
- Harmful to regeneration efforts in Collyhurst and Miles Platting.

The letters of support can be summarised as follows:

- Supported on the grounds of tackling homelessness.

**Councillor Grimshaw (Miles Platting and Newton Heath)** has requested that the planning committee undertake a site visit to better understand the application site's proximity to the neighbouring primary school and other neighbouring youth facilities. The planning application also makes reference to the unit being for people with mobility issues but it also states that referrals would come from A Bed Evry Night (ABEN). An impression has been provided that people who would receive this service would have a disability and would come out of hospital to a homeless situation and need support into a permanent home setting. If this is the case, it would be for men only low risk does not equate to disability.

**Councillor Hitchen (Miles Platting and Newton Heath)** has expressed concern over the proposed use. Further details were requested regarding this concern and no further representations were received.

**Homeless Directorate** – Support the proposal. Caritas', the applicant, standard of provision and support is consistently high, and they are a trusted provider in the city with a proven track record in providing supported accommodation. They have a comprehensive management and operation plan, and the building layout is ideal. The City needs supported accommodation for people who are homeless to help them gain essential skills to be fully independent in their own homes, and this provision will help meet this need. The location is ideal in relation to other supported housing in the City.

**MCC Supported Housing Monitoring Group** – No objection received.

**Environmental Health** – No objection subject to a condition requiring the development to proceed in accordance with the Noise Impact Assessment.

**Greater Manchester Police** – No objection received.

**Highway Services** – No objection subject to an informative relating to site hoardings.

## **Policy**

### **The Development Plan**

The Development Plan consists of The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan for the City of Manchester (1995). The Core Strategy is the key document in Manchester's Local Development Framework and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

Strategic Spatial Objectives - The adopted Core Strategy contains Strategic Spatial Objectives that form the basis of its policies, as follows:

**SO1. Spatial Principles** –The proposal would deliver accommodation for 19 homeless men close to the city centre with ancillary amenity facilities.

**S06. Environment** – The proposal would support the creation of 5 jobs. The active use would provide natural surveillance.

**Policy SP1 ‘Spatial Principles** – The proposal would provide a long term use for the building. The proposal includes support for residents.

**Policy EC1 ‘Employment and Economic Growth in Manchester’** – The proposal would result in a loss of some employment floorspace.

**Policy EC2 ‘Existing Employment Space’** – The provision of accommodation for homeless people would meet the criteria for alternative uses.

**Policy EC3 ‘The Regional Centre’, Primary Economic Development Focus (City Centre and Fringe and Policy CC8 Change and Renewal** – The proposal would meet specific demand for homeless people close to the city centre.

**Policy CC10 A Place for Everyone** – The accommodation would have level or lift access and a bedroom would be accessible.

**Policy EC4 ‘North Manchester’** – The loss of a small amount of employment space would allow accommodation to be provided for homeless people.

**Policy T1 ‘Sustainable Transport’** – There is access to all public transport modes.

**Policy T2 ‘Accessible areas of opportunity and needs’** - A transport assessment demonstrates that the proposal would have minimal impact on the local highway network and would encourage residents to use of sustainable transport.

**Policy H10 ‘Housing for People with additional support needs’**- There is a recognised need for this type of accommodation in or close to the city centre. This proposal would not result in a high concentration of similar uses in the area and would not place stress on existing infrastructure. The proposal would provide some natural surveillance.

**Policy EN3 ‘Heritage’** - The impact on the listed building would be acceptable and this is considered in further detail in the report.

**EN4 ‘Reducing CO2 emissions by enabling low and zero carbon development’**  
–A travel plan and cycle provision is proposed.

**Policy EN16 ‘Air Quality’** – A ventilation system would protect residents from external air quality conditions. The proposal would not worsen local air quality given the highly accessible location and nature of the use.

**EN19 ‘Waste’** – The waste management strategy incorporates recycling principles.

**Policy DM1 ‘Development Management’** - Careful consideration has been given to the impacts of the use on local amenity as set out in the report.

For the reasons given above, and within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

**The Unitary Development Plan for the City of Manchester (1995)**

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

**Saved policy DC19 ‘Listed Buildings’** - The proposal would have minimal impact on the setting of the neighbouring listed building.

**Saved policy DC26, Development and Noise** - The impact from noise sources would be minimised and assurances that mitigation measures would be installed would be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

## **Other Material Policy Considerations**

### **Places for Everyone**

The Places for Everyone Plan is a joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester and was adopted on 21st of March 2024. The Places for Everyone Plan is a key document that updates and in some cases supersedes policies listed within the Core Strategy that are designed to ensure all development within Greater Manchester achieves the best possible outcomes for the area. The relevant policies are as follows:

JP-Strat5: Inner Areas – The development would support the regeneration of Manchester’s inner area by helping reducing the levels of homelessness within the area.

JP-S2: Carbon and Energy – The development would involve the re-use of an existing building ensuring that there would be minimal energy usage in the delivery of the proposal.

JP-S5: Flood Risk and the Water Environment – There would be no increase of hard standing on site and thus no change in the drainage of the site.

JP-J2: Employment Sites and Premises – The development will see the loss of an office use. In this instance, it is considered that the site offers greater benefits to the overall objectives of the development plan through the provision of accommodation for homeless people. Further consideration is given in the report below.

JP-P1: Sustainable Places – The proposal would occupy an existing building. The development would promote recycling and help respond to the needs of Manchester’s community.

JP-P2: Heritage – The proposal would not alter the size nor scale of the building, with only minor alterations proposed to its windows, and would thus not have a noticeable impact on the wider setting of the neighbouring listed St Patrick's Church.

JP-P6: Health – The proposal would assist in giving residents independent living skills important to maintain good physical and mental health.

JP-C1: An Integrated Network – This is a highly sustainable location and is well connected to public transport, jobs, recreation and green infrastructure.

JP-C6: Walking and Cycling – Cycle storage facilities would be provided as part of the development and be secured by condition.

JP-C8: Transport Requirements of New Development – The proposal would be connected to infrastructure and nearby public transport. On-site parking would also be made available to employees and visitors.

### **The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)**

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

### **Manchester Northern Gateway Strategic Regeneration Framework (SRF) (2019)**

The Northern Gateway covers approximately 155 hectares (ha) to the north of Manchester city centre between Victoria Station, NOMA and the Northern Quarter in the south-west, and Queens Park and the intermediate Ring Road (Queens Road) to the north-east. The Northern Gateway is surrounded by the established neighbourhoods of Ancoats and New Islington, Miles Platting, Monsall, Cheetham Hill and the Strangeways commercial district, and is the single largest opportunity for residential-led growth and transformational redevelopment in Manchester.

The Northern Gateway will build on existing and past regeneration initiatives that have sought to deliver change in neighbourhoods and communities throughout the



north and east of the extended city centre, including Collyhurst, the Lower Irk Valley, New Cross, NOMA and Angel Meadow, and Ancoats and New Islington.

St Patricks Church and its car parks are identified within the SRF as sites for social and community uses. A key opportunity within the Northern Gateway area is to provide key social and community uses through enhancements in existing facilities, along with new integrated service provision.

### **National Planning Policy Framework (2023)**

The revised NPPF re-issued in December 2023. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 96).

The proposal would be safe and secure and provide 19 bed spaces for homeless men in the city who are low risk. The proposal would provide support for homeless men in giving them the skills for independent living.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health' (paragraph 109).

The site is well connected to all public transport modes which would encourage sustainable travel. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. Adherence to the submitted operational management plan would be secured as part of the conditions of the approval.

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 123).

The proposal would use land which has previously been in an employment use but is currently vacant. The proposal would result in the loss of this employment land but

would provide a use which is in demand in the city thereby providing temporary accommodation for homeless men in a safe and secure environment.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF Outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

### **Planning Policy Guidance (PPG)**

The relevant sections of the PPG are as follows:

Noise states that Local planning authorities’ should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Health and well being states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

*Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:*

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

*Heritage* states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.”

Public benefits may also include heritage benefits, such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

### **Other legislative requirements**

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

S149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

### **Issues**

### **Principle of the Development**

The existing building subject to the planning application, was purpose built as residential accommodation. More recently it has been used as ancillary offices for the adjacent Church and the Diocesan. In terms of built form and the original intentions for its use, the principle of its reuse for residential is acceptable.

The buildings use as ancillary offices is now surplus to requirements and due to its small scale does not constitute any meaningful loss of employment space.

There is an acknowledged need for accommodation for homeless people in Manchester, particularly accommodation that provides appropriate support to prevent a return to sleeping on the streets. This proposal includes ancillary facilities including healthcare. Residents would be supported to access benefits, employment and future housing support. The building would be staffed on a 24/7 basis and provide accommodation to residents who are low risk.

Policy H10 supports the provision of housing for those with additional support needs so long as it does not create a high concentration of similar uses in an area or place stress on infrastructure. Those who are homeless is specifically identified within policy H10. The Supported Housing and Homelessness Teams support this proposal.

There is a recognised need for this type of accommodation in or close to the city centre. The site can easily be accessed by residents and staff. The accommodation would provide private bedroom spaces with en-suite facilities providing independent living. There are internal and external communal spaces for residents to meet and socialise. The use would provide residents with on site support and education.

There are no existing uses close to the site or within the immediate wider area which would result in an over concentration of similar uses.

### **Operational management**

The proposal would provide accommodation for single men with low support needs in single rooms with en-suite facilities. The facility would be staffed on a 24 hour basis with a concierge on duty overnight. Residents would be supported to build skills and address any underlying issues before being supported to move onto independent private rented homes. Residents would be linked into other support services including health and skills and helped to access jobs.

Residents would be referred via Morning Star and other Housing Related Support or 'A Bed Every Night' (ABEN) services, as well as hospital discharges. All referrals from hospital discharges would be selected through an interview process, with background checks, in order to ensure that they are low-risk. Residents must want to move on to independent private rented living and to get back into work and pass an interview and background checks. Self-referrals would not be accepted.

Specialist caseworkers would support residents to obtain their long term needs and ensure they have sufficient support to sustain their new accommodation.

Visitor access would be controlled, and residents would be encouraged to stay in the building after 10pm. The concierge would monitor all people entering and leaving the centre and CCTV would provide additional internal and external security.

All residents would be expected to engage with support. There would be clear expectations of acceptable behaviour; including visitors, noise nuisance and drugs/alcohol. These expectations would be communicated when residents move in and would form part of their licence agreement. Any breaches could lead to eviction. An operational management plan would be agreed through conditions.

### **Sustainability**

The application would re-use an existing building. All bedrooms would be mechanically ventilated. Measures would minimise water wastage and recycling of waste. There would be no expansion of hard standing or vegetation clearance.

### **Impact on historic environment**

The site adjoins the Grade II listed St Patrick's Church. The weep/trickle vents would materially alter the appearance of the building but would not fundamentally change its relationship with the listed church and the proposal would have a neutral impact on the historic environment.

### **Visual amenity and layout**

Weep/trickle vents would be installed in the property's windows, with them being coloured in brown to match said windows. The applicant has provided information that illustrates the indicative finish that would be achieved. The trickle vents would protrude slightly from the top of the property's windows but would not alter the dimensions of the windows openings. Notwithstanding this, a condition would require the submission of samples of the vents in order to allow the Council to assess their suitability and ensure that they do not have an unacceptable impact on the appearance of the building.

### **Effects on local amenity**

A Noise Impact Assessment which has assessed noise outbreak from the property and external noise. There would be comings and goings associated with residents and staff, but this would be commensurate with the area and would be domestic in nature.

Environmental Health concur with the findings provided that a verification report is submitted to confirm that the required measures are implemented.

Provided that the development is appropriately insulated, the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF

### **Waste management**

The waste management arrangement would be similar to the existing use with bins stored in the secure car park. There would be three 1100 litre bins and two 240 litre bins to allow for the segregation of waste and recycling. Bins would be transferred to a collection point along Nobby Stiles Drive on collection day.

### **Accessibility**

The access to the building is level and the upper floor is accessible by lift.

### **Highway safety**

Residents are likely to arrive on foot, by public transport or be dropped off. An on site car park has 8 spaces and an overflow car park has 70 spaces. There would be sufficient parking space for the 5 members of staff. It is not anticipated residents would generate carparking needs, they are likely to commute to and from the application site on foot, via public transport or by bicycle.

A secure internal cycle store would encourage staff and residents to use sustainable travel. Servicing would take place off of Nobby Stiles Drive.

Highway Services concur that the level of trip generation would be low and the proposed parking, cycle and servicing arrangements are acceptable.

### **Designing out Crime**

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that active use and natural surveillance would bring vitality to the area and help to deter anti-social or criminal activity. A condition is recommended that the development is implemented in accordance with the recommendations made within the Crime Impact Assessment.

### **Public opinion**

Concerns have been raised about the effects of the development on the ongoing regeneration activity in the area, potential increase in crime and anti-social behaviour and the effect this would have on residents of Collyhurst.

The applicant has provided an operational management plan which outlines the criteria to access the facility. Only residents who are assessed as low risk would be eligible. There would be no self-referrals.

The accommodation would be staffed 24 hours a day and bring enhanced natural surveillance to the area along with CCTV provision. The accommodation would be managed by an experienced provider already operating in the sector on behalf of the applicant. The City Council's homeless team support the proposal.

The reoccupation of the site and subsequent increase in natural surveillance are welcomed together with increasing the supply of much needed homeless accommodation in the area as part of meeting all residents housing needs.

## **Conclusion**

It is recognised concerns have been raised about the proposed use in this location. Consideration of this has been given in the context of the delivery of a key outcome for the city, reducing homelessness, in addition to a more detailed look at potential site specific impacts.

Both the Council's Housing Strategy and Homelessness and Rough Sleeping Strategy set out the long term vision on how to deliver housing priorities including working to end homelessness.

The reuse of this existing building requires only very minor alteration to provide the new accommodation having previously been in residential use. With the detailed operational management strategy, as set out in the report, it is considered measures would be in place to cover any potential adverse impacts.

In addition, specific matters such as waste management, car parking, servicing and noise have been assessed and further are capable of being covered by condition as part of an approval.

In light of t above, the proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise

## **Other Legislative Requirements**

### **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

**Human Rights Act 1998 considerations** – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations)

have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation** Approve

### **Article 35 Declaration**

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

### **Condition(s) to be attached to decision for approval**

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings:

- o Proposed Site Plan (Received 03/05/2024)
- o J10672-002: General Arrangement Plan Proposed Ground & First Floor (Received 08/02/2024)

Documents:

- o Design & Access Statement (Prepared by Property Tectonics; Dated 26/09/2023; Received 08/02/2024)
- o Planning Statement (Prepared by Property Tectonics; Dated 18/01/2024; Received 08/02/2024)
- o Transport Statement (Prepared by Property Tectonics; Dated 18/01/2024; Received 08/02/2024)



- o Noise Assessment (Prepared by Miller Goodall; Dated 15/11/2023; Received 27/12/2023)
- o Caritas House - Management and Operations Statement (Prepared by Caritas Salford; Received 08/02/2024)
- o Crime Impact Statement (Prepared by Design for Security Greater Manchester Police; Dated 08/02/2024; Received 08/02/2024)
- o Waste Management Strategy Proforma (Received 08/02/2024)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of any works relating to the property's windows, hereby approved, material samples and scaled sections of the proposed works shall be submitted to and approved in writing by the City Council as Local Planning Authority. The works shall then proceed in accordance with the approved details.

Reason - To ensure that the appearance of the building to be altered is not adversely affected by the materials to be used in the construction of the extension, pursuant to Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) (a) Prior to the first use of the development, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L<sub>aeq</sub>) below the typical background (L<sub>a90</sub>) level at the nearest noise sensitive location.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on nearby residential properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

5) a) The development shall proceed in accordance with the measures included within the submitted Noise Assessment (Prepared by Miller Goodall; Dated 15/11/2023; Received 27/12/2023).

b) Prior to first use of the accommodation, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

6) Prior to the first use of the development hereby approved a signage strategy for the building, if applicable, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

- o Monday to Saturday 07:30 to 20:00
- o no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on 08/02/2024. The development shall only be carried out in accordance with these approved details.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

9) The homeless accommodation hereby approved shall be used as a 19 bedroom homeless facility (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason - To ensure that the accommodation is used solely for the intended purpose - as homeless accommodation; to safeguard the character of the area pursuant to policies SP1, H10 and DM1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

10) The proposed internal cycle store as shown on drawing no.J10672-002 shall be made available for use prior to the first use of the development hereby approved and shall be retained thereafter.

Reason - In the interest of securing sufficient cycle storage at the application site pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

11) Car parking for the development hereby approved shall be operated in accordance with the submitted Transport Assessment (Prepared by Property Tectonics; Dated 18/01/2024; Received 08/02/2024) and submitted proposed site plan (Received 03/05/2024) for the lifetime of the development.

Reason - In the interest of ensuring that sufficient accessible car parking is provided at the development pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

12) The development hereby approved shall be carried out in accordance with the Management and Operations Statement (Prepared by Caritas Salford) received by the City Council, as Local Planning Authority, on 08/02/2024.

Reason - In the interest of ensuring appropriate management arrangements are put in place at the development pursuant to policies SP1, H10 and DM1 of the Manchester Core Strategy (2012).

13) The development's waste shall be stored and presented for collection in accordance with the submitted Waste Management Strategy Proforma (Received 08/02/2024) and proposed site plan (Received 03/05/2024) and shall be in place prior to the first use of the development. The waste strategy shall thereafter be retained and maintained for as long as the development remains in use.

Reason - To ensure adequate waste management arrangements are put in place pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 138910/FO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

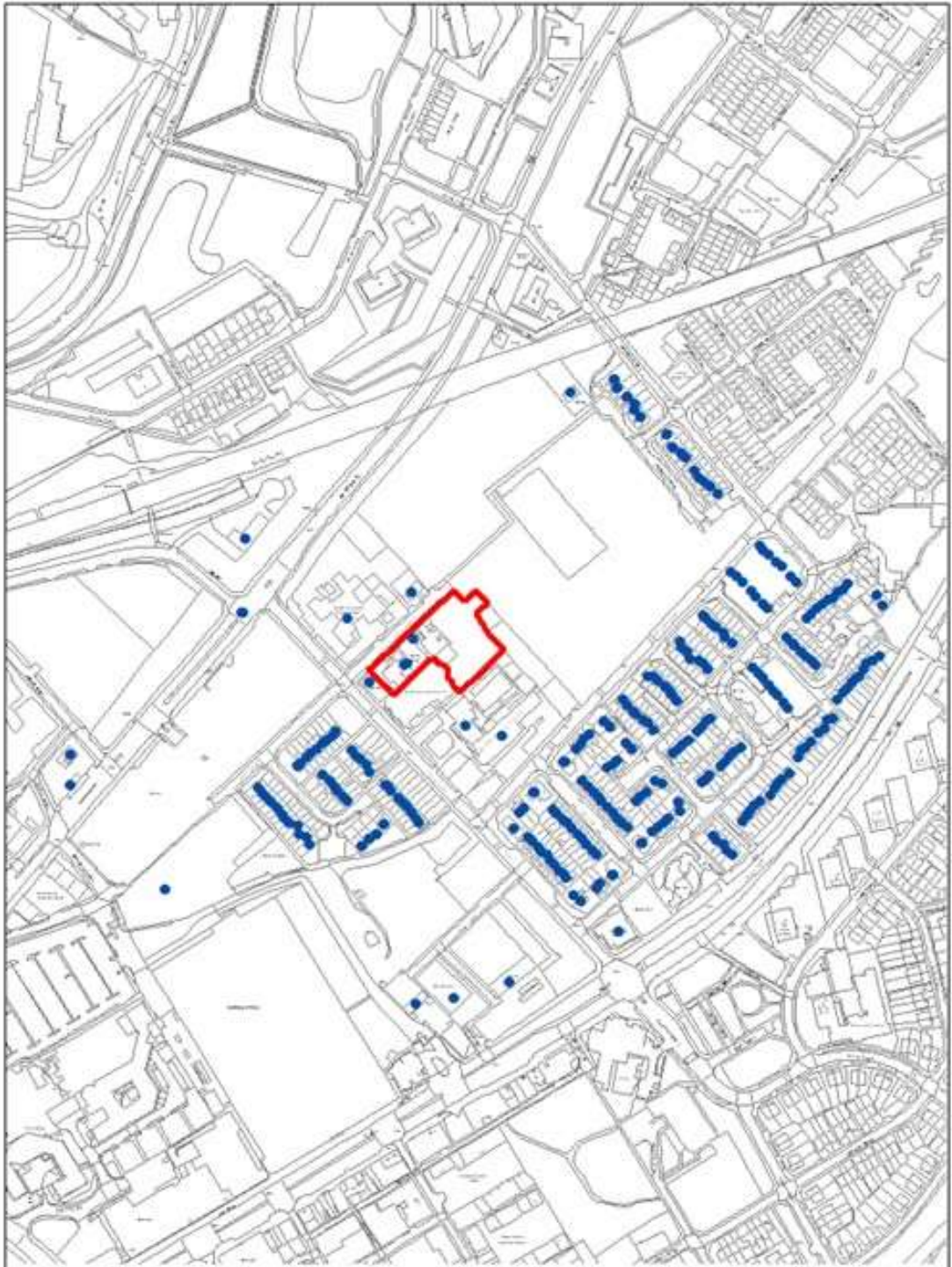
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services  
Environmental Health  
MCC Supported Housing Monitoring Group  
Greater Manchester Police**

**A map showing the neighbours notified of the application is attached at the end of the report.**

**Representations were received from the following third parties:**

**Relevant Contact Officer :** Michael Pearson  
**Telephone number :** 0161 219 2735  
**Email :** michael.pearson@manchester.gov.uk



**Legend**

 Site Location     Neighbours notified

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